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STATE OF CALIFORNIA
WATER RESOURCES CONTROL BOARD
DIVISION OF DRINKING WATER

TO: Rosamond School Water System
Water System No. 1502231

Attn: Jeff Weinstein, Superintendent
Rosamond School
P.O. Drawer CC
Rosamond, CA 93560

CERTIFIED MAIL

**CITATION FOR VIOLATION OF CALIFORNIA CODE OF REGULATIONS,
TITLE 22, SECTION 64426.1(b)(2) - June 2016**

C I T A T I O N N O. 03-19-16C-043

Issued on September 13, 2016

STATEMENT OF FACTS

The State Board is informed by and believes that the Rosamond School Water System (hereinafter "Water System") is a nontransient noncommunity water system located in Kern County that supplies water for domestic purposes to approximately 950 individuals through two service connections.. The Water System is a nontransient noncommunity public water system, as defined in the California Health & Safety Code (CHSC), Section 116275. The Water System has two active sources of supply, West Well (Primary Station Code: 1502231-002), Well 03 (Primary Station Code: 1502231-003), a 50,000-gallon bolted steel storage tank, and distribution system. No treatment is currently provided to the water produced by the wells. The Water System operates

1 under the authority of a domestic water supply permit (#03-12-95P-045), issued on
2 December 6, 1995, by the Division of Drinking Water and Environmental
3 Management, California Department of Health Services. Effective July 1, 2014,
4 regulatory jurisdiction of the Water System was transferred to the State Water
5 Resources Control Board (hereinafter "State Board"). Due to high arsenic in the water
6 produced by the two wells, a feasibility and planning study funding project (co-funded
7 by Proposition 84 and State Revolving Fund programs) is currently underway, to
8 consolidate the Water System with the neighboring Rosamond Community Services
9 District's domestic water supply system
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11
12 Section 116650 of the CHSC authorizes the issuance of a citation to a public water
13 system for violation of the California Safe Drinking Water Act (CHSC, Division 104,
14 Part 12, Chapter 4, commencing with Section 116270) (hereinafter "California
15 SDWA") or any regulation, standard, permit or order issued or adopted thereunder.
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18 The State Water Resources Control Board, acting by and through its Division of
19 Drinking Water and the Deputy Director for the Division of Drinking Water
20 (hereinafter "Deputy Director"), hereby issues a citation to the Rosamond School
21 Water System (mailing address: P.O. Drawer CC, Rosamond, CA 93560) for
22 violation of the California Code of Regulations (CCR), Title 22, Section 64426.1,
23 subsection (b)(2).
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- 1 • Two (2) routine bacteriological quality samples collected on June 7, 2016,
2 from the distribution system, tested positive for total coliform bacteria.
- 3 • On June 9, 2016, Dan Sackett of sKOO'kum h2o monitoring, inc., the Water
4 System's contracted sampler, informed the State Board, by email, of the total
5 coliform positive samples and violation of the total coliform maximum
6 contaminant level (MCL).
- 7 • **Rosamond School Water System failed the total coliform MCL for June**
8 **2016 [Section 64426.1(b)(2), *Authorities*].**
- 9 • Three (3) repeat bacteriological quality samples collected on June 10, 2016,
10 from the distribution system, tested negative for total coliform bacteria.
- 11 • One (1) bacteriological quality sample collected on June 10, 2016, from Well
12 03, for Ground Water Rule compliance, tested negative for total coliform
13 bacteria. However, one (1) bacteriological quality sample collected from the
14 West Well (Well 02), for Ground Water Rule compliance, tested positive for
15 total coliform bacteria.
- 16 • On June 13, 2016, under the supervision of a certified distribution operator
17 from sKOO'kum h2o monitoring, inc., the Water System provided emergency
18 disinfection of the West Well (Well 02), 50,000-gallon storage tank and
19 distribution system. Flushing was performed on June 14, 2016, until chlorine
20 residual was non-detect in the distribution system.
- 21 • One (1) out of three (3) special bacteriological samples collected on June 14,
22 2016, from the distribution system, tested positive for total coliform bacteria.
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- 1 • Two (2) special bacteriological samples collected on June 14, 2016, from the
2 West Well (Well 02) and Well 03, tested negative for total coliform.
- 3 • After another round of disinfection and flushing, all three (3) special
4 bacteriological samples, collected on June 20, 2016, from the distribution
5 system, tested positive for total coliform bacteria.
- 6 • Two (2) special bacteriological samples collected on June 20, 2016, from
7 Wells 02 and 03, tested negative for total coliform.
- 8 • After providing another round of emergency disinfection and flushing, all three
9 (3) special bacteriological samples, collected on June 27, 2016, from the
10 distribution system, tested negative for total coliform bacteria.
- 11 • Two (2) special bacteriological samples, collected on June 27, 2016, from
12 Wells 02 and 03, tested negative for total coliform bacteria.
- 13 • In response to the August 2016, total coliform MCL failure, the State Board
14 staff emailed a blank Level 1 Assessment form to the Water System, on June
15 21, 2016.
- 16 • On July 5, 2016, the State Board received the completed Level 1 Assessment
17 form. The Level 1 Assessment form was completed by Dan Sackett. A
18 possible cause of the total coliform positive samples was described as algae
19 floating in the tank. To help clear the contamination, the tank was disinfected.
- 20 • On July 8, 2016, a public notice and *Certification of Completion of Public*
21 *Notification* were emailed to the Water System, for the June 2016 total
22 coliform MCL failure.
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- On September 13, 2016, the State Board received signed and dated copies of the *Certification of Completion of Public Notification* and the public notice. According to these documents, public notification was completed on July 11, 2016. It is noted that the public notification documents were received late.
- On July 5, 2016, five (5) bacteriological samples (three (3) routine bacteriological samples collected from the distribution system and two bacteriological samples collected from Well 02 and well 03) tested negative for total coliform bacteria.
- Results of all bacteriological samples collected from January 2016 to July 2016, are summarized in **Attachment A**.

AUTHORITIES

Section 116577 of the CHSC, states in relevant part:

“(a) Each public water system shall reimburse the State Board for the actual costs incurred by the State Board for any of the following enforcement activities related to that water system:

- (1) Preparing, issuing, and monitoring compliance with, an order or citation.
- (2) Preparing, and issuing public notification

...

(b) The State Board shall submit an invoice for these enforcement costs to the public water system that requires payment prior to September 1 of the fiscal year following the fiscal year in which the costs were incurred. The invoice shall indicate the total hours expended, the reasons for the expenditure, and the hourly cost rate of the State Board. The costs set forth in the invoice shall not exceed the total actual costs to the State Board of the enforcement activities specified in this section.”...

Section 116650 of the CHSC, states in relevant part:

“(a) If the State Board determines that a public water system is in violation of this chapter or any regulation, permit, standard, citation, or order issued or adopted thereunder, the State Board may issue a citation to the public water system. The citation shall be served upon the public water system personally or by certified mail. Service shall be deemed effective as of the date of personal service or the date of receipt of the certified mail. If a person to whom a citation is directed refuses to accept delivery of the certified mail, the date of service shall be deemed to be the date of mailing.

(b) Each citation shall be in writing and shall describe the nature of the violation or violations, including a reference to the statutory provision, standard, order, citation, permit, or regulation alleged to have been violated.

(c) A citation may specify a date for elimination or correction of the condition constituting the violation.

(d) A citation may include the assessment of a penalty as specified in subdivision (e).

(e) The State Board may assess a penalty in an amount not to exceed one thousand dollars (\$1,000) per day for each day that a violation occurred, and for each day that a violation continues to occur. A separate penalty may be assessed for each violation.”

Section 116655 of the CHSC, states in relevant part:

(a) Whenever the State Board determines that any person has violated or is violating this chapter, or any permit, regulation, or standard issued or adopted pursuant to this chapter, the director may issue an order doing any of the following:

- (1) Directing compliance forthwith.
- (2) Directing compliance in accordance with a time schedule set by the State Board.
- (3) Directing that appropriate preventive action be taken in the case of a threatened violation.

(b) An order issued pursuant to this section may include, but shall not be limited to, any or all of the following requirements:

- (1) That the existing plant, works, or system be repaired, altered, or added to.
- (2) That purification or treatment works be installed.
- (3) That the source of the water supply be changed.
- (4) That no additional service connection be made to the system.
- (5) That the water supply, the plant, or the system be monitored.
- (6) That a report on the condition and operation of the plant, works, system, or water supply be submitted to the State Board.

California Code of Regulations (hereinafter, CCR), Title 22, Section 64423, Table 64423-A establishes the minimum routine sampling requirements, and states in relevant part:

<i>Monthly Population Served</i>	<i>Service Connections</i>	<i>Minimum Number of Samples</i>
25 to 1000	15 to 400	1 per month
1,001 to 2,500	401 to 890	2 per month
2,501 to 3,300	891 to 1,180	3 per month
3,301 to 4,100	1,181 to 1,460	4 per month
4,101 to 4,900	1,461 to 1,750	5 per month
4,901 to 5,800	1,751 to 2,100	6 per month
5,801 to 6,700	2,101 to 2,400	7 per month
6,701 to 7,600	2,401 to 2,700	2 per week
7,601 to 12,900	2,701 to 4,600	3 per week
12,901 to 17,200	4,601 to 6,100	4 per week
17,201 to 21,500	6,101 to 7,700	5 per week
21,501 to 25,000	7,701 to 8,900	6 per week
25,001 to 33,000	8,901 to 11,800	8 per week
33,001 to 41,000	11,801 to 14,600	10 per week
41,001 to 50,000	14,601 to 17,900	12 per week
50,001 to 59,000	17,901 to 21,100	15 per week

CCR, Title 22, Section 64426.1 establishes the total coliform maximum contaminant level and states in relevant part:

"(a) Results of all samples collected in a calendar month pursuant to Sections 64423, 64424, and 64425 that are not invalidated by the State Board or the laboratory shall be included in determining compliance with the total coliform MCL. Special purpose samples such as those listed in 64421(b) and samples collected by the water supplier during special investigations shall not be used to determine compliance with the total coliform MCL.

(b) A public water system is in violation of the total coliform MCL when any of the following occurs:

- (1) For a public water system which collects at least 40 samples per month, more than 5.0 percent of the samples collected during any month are total coliform-positive; or
- (2) For a public water system with collects fewer than 40 samples per month, more than one sample collected during any month is total coliform-positive; or
- (3) Any repeat sample is fecal coliform-positive or E. coli-positive; or
- (4) Any repeat sample following a fecal coliform-positive or E. coli-positive routine sample is total coliform-positive.

1 (c) If a public water system is not in compliance with paragraphs (b)(1) through (4), during any
2 month in which it supplies water to the public, the water supplier shall notify the State Board by the end
3 of the business day on which this is determined, unless the determination occurs after the State Board
4 office is closed, in which case the supplier shall notify the State Board within 24 hours of the
5 determination. The water supplier shall also notify the consumers served by the water system. A Tier 2
6 Public Notice shall be given for violations of paragraphs (b)(1) or (2), pursuant to section 64463.4. A
7 Tier 1 Public Notice shall be given for violations of paragraphs (b)(3) or (4), pursuant to section
8 64463.1."

9 DETERMINATIONS

10 Based upon the above Statement of Facts and Authorities, the State Board determines
11 that the Rosamond School Water System has violated the following:

- 12 1. CCR, Title 22, Section 64426.1(b)(2); Specifically, the Water System violated
13 the total coliform MCL for June 2016 when more than one sample during the
14 month, tested positive for total coliform bacteria.

15 The above violation is classified as a non-continuing violation.

16 DIRECTIVES

17 Rosamond School Water System is hereby directed to take the following actions:

- 18 1. Cease and desist from failing to comply with Section 116555(a) of the
19 California Health and Safety Code (CHSC) and Section 64426.1(b)(2) of Title
20 22, California Code of Regulations.
- 21 2. The Water System shall reimburse the State Board, in accordance with an
22 invoice that shall be provided to the Water System, the costs for enforcement
23 activities, and such reimbursement shall be made prior to September 1 (or by a
24 different date if specified by the State Board) of the fiscal year following the
25 fiscal year in which such costs are incurred as described in CHSC Sections
26 116577(a)(1-2) and 116577(b).
- 27

FURTHER ENFORCEMENT ACTIONS

Section 116270, Chapter 4, Part 12, Division 104 of the CHSC authorizes the State Board to: issue additional citations with assessment of penalties if a public water system continues to fail or correct a violation identified in a citation; take action to suspend or revoke a permit that has been issued to a public water system if the system has violated applicable law or regulations or has failed to comply with orders of the State Board; and petition the superior court to take various enforcement measures against a public water system that has failed to comply with orders of the State Board. The State Board does not waive any further enforcement action by issuance of this citation.

PARTIES BOUND

This citation shall apply to and be binding upon Rosamond School Water System, its officers, directors, agents, employees, contractors, successors, and assignees.

SEVERABILITY

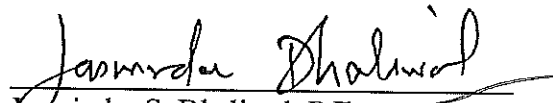
The directives of this citation are severable, and Rosamond School Water System shall comply with each and every provision thereof, notwithstanding the effectiveness of any other provision.

CIVIL PENALTIES

Section 116650, subsections (d) and (e) of the CHSC allow for the assessment of a civil penalty for failure to comply with the requirements of the Safe Drinking Water Act. Failure to comply with any provision of this Citation may result in the State Board imposing an administrative penalty in an amount not to exceed \$1,000 (one thousand dollars) per day as of the date of violation of any provision of this Citation.

Sep. 13, 2016

Date



Jaswinder S. Dhaliwal, P.E.

Senior Sanitary Engineer

Drinking Water Field Operations Branch

Certified Mail No. 7015 1520 0000 4432 2257

ATTACHMENT

Attachment A: Summary of Bacteriological Samples Collected from January 2016 – July 2016

CC: Kern County Dept. of Public Health, Env. Health Services Division (w/o attachment)
skOO'kum h2o monitoring, inc. Contract Sampler (via email)

JSD/dc

Attachment A

Rosamond School Water System

1502231

Distribution System Freq: 2/M

Sample Date	Time	Location	T Coli	E Coli	F Coll	Type	Cl2	Violation	Comment
1/5/2016	9:50	1ROU/MIDDLE	A	A		Routine			
1/5/2016	9:57	1ROU/HIGH	A	A		Routine			
2/23/2016	9:09	1ROU/HIGH	A	A		Routine			
2/23/2016	9:17	1ROU/MIDDLE	A	A		Routine			
3/8/2016	10:58	1ROU/MIDDLE	A	A		Routine			
3/8/2016	11:02	1ROU/HIGH	A	A		Routine			
4/5/2016	9:45	1ROU/MIDDLE	A	A		Routine			
4/5/2016	9:50	1ROU/HIGH	A	A		Routine			
5/3/2016	10:12	1ROU/MIDDLE	A	A		Routine			
5/3/2016	10:20	1ROU/HIGH	A	A		Routine			
6/7/2016	11:19	1ROU/MIDDLE	P	A		Routine		MCL	Citation # 03_19_16C_043 issued 9/13/2016.
6/7/2016	11:25	1ROU/HIGH	P	A		Routine			
6/10/2016	9:01	1ROU/MIDDLE	A	A		Repeat			
6/10/2016	9:08	1ROU/HIGH	A	A		Repeat			
6/10/2016	9:22	Pressure Tank 1	A	A		Repeat			
6/14/2016	10:20	Tank 1	A	A		Repeat			
6/14/2016	10:32	1ROU/MIDDLE	P	A		Repeat			
6/14/2016	10:37	1ROU/HIGH	A	A		Repeat			
6/20/2016	9:54	1ROU/MIDDLE	P	A		Repeat			
6/20/2016	10:09	1ROU/HIGH	P	A		Repeat			
6/20/2016	10:22	Pressure Tank 1	P	A		Repeat			
6/27/2016	11:16	Tank 1	A	A		Repeat			
6/27/2016	11:26	1ROU/HIGH	A	A		Repeat			
6/27/2016	11:38	1ROU/MIDDLE	A	A		Repeat			
7/5/2016	10:48	1ROU	A	A		Routine			
7/5/2016	10:52	2ROU	A	A		Routine			
7/5/2016	11:03	3ROU	A	A		Routine			

Rosamond School Water System

1502231

Source Monitoring Freq:

<i>Sample Date</i>	<i>Time</i>	<i>Source</i>	<i>T Coli</i>	<i>E Coli</i>	<i>F Coli</i>	<i>Violation</i>	<i>Comment</i>
5/2/2016	9:32	WELL 02 (West)	<1	<1			
5/2/2016	10:02	WELL 02 (West)	<1	<1			
6/10/2016	9:16	WELL 03	A	A			
6/10/2016	9:33	WELL 02 (West)	P	A			
6/14/2016	10:22	WELL 03	A	A			
6/14/2016	10:59	WELL 02 (West)	A	A			
6/20/2016	10:15	WELL 03	A	A			
6/21/2016	13:52	WELL 02 (West)	<1	<1			
6/27/2016	11:08	WELL 02 (West)	<1	<1			
6/27/2016	11:15	WELL 03	<1	<1			
7/5/2016	11:02	WELL 03	A	A			
7/5/2016	11:17	WELL 02 (West)	A	A			
